

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, February 10, 2025 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
Community Development Director Retzlaff called the meeting to order at 6:33pm.
Motion: Nominate Protem Chairman Baum
Motioned By: William Shadid
Seconded By: Josh Tarantino
Yes: Dean Wolter, David Baum, Josh Tarantino, William Shadid
No: None
Abstain: None
Motion Passed (Yes 4, No 0, Abstained 0)
- II. **ROLL CALL:**
Chairman ProTem Baum, Tarantino, Shadid and Ewert were all present, President Wolter was present via Webex. Also present was Community Development Director Retzlaff. Committee Members Williams and Henk were both absent/excused.
- III. **APPROVAL OF MINUTES:**
Motion: Approve as presented
Motioned By: William Shadid
Seconded By: Josh Tarantino
Yes: Dean Wolter, David Baum, Josh Tarantino, William Shadid
No: None
Abstain: None
Motion Passed (Yes 4, No 0, Abstained 0)
A. PC Minutes 1/13/25
- IV. **NEW BUSINESS:**
A. Presentation and Discussion of a Master Plan for potential Mixed-Use Development in the Village Center District: Mequon Road @ Pilgrim Road.
Director Retzlaff gave some background on this potential 22 acre project and stated that this will go before the Village Board on February 17th, 2025 to decide if the project will move forward or not. The Plan Commission has not been involved up to this point but will be more involved in the detail planning process if/when the Village Board decides to move forward.

1. Presentation by RINKA+ and Copeland Companies, Land Use Planning & Real Estate Development Consultants

Retzlaff announced Bailey Copeland with Copeland Companies, who gave a short presentation about the potential mixed-use development. Eric Mayne from Rinka took over and gave a full presentation including Master Plan details, feedback on community involvement from the 2 visioning sessions, presented the results of the surveys that were taken, and displayed pictures of possibilities within the new Village Center. Copeland continued with implementation details and stated that next steps would be discussed at the Village Board meeting on February 17th.

Chairman ProTem Baum stated that we have had 2 listening sessions and some residents commented that they were not given a chance to voice their opinions. So he will now give residents that chance.

2. Public Comment (*3 minute limit per person*)

Residents who spoke included:

Lynn Bednarz who lives on Pawnee Court expressed concerns about paying for this project, she is against a TID and stated that she does not want more apartments.

Danica Lause who lives in the Preserve gave positive feedback. Her family would be very happy for this to happen. She feels that Germantown does not have a heart, and it needs one, a place for families to hang out and enjoy.

Linda Kons who lives on Butternut Road expressed concerns about parking, and she would like TID's to be explained better.

Baum stated that generally residential developments propose underground parking which would need to be considered by a potential developer at a later date if the project moves forward. The greenspace to the east will include walking pathways. Financial issues will come before the Village Board on February 17th, and they will discuss those options then.

Larry Dillon who lives on Lynn Drive stated that he would like to know what type of residential units will be put in the southern part of the development next to Lyle Lane? Baum stated that from north to south you have the Commercial District, higher density in the middle and low density, single family in the south.

Pat Tasker who lives on Burning Bush Court stated that she loves the idea of Germantown having a gathering space. Her concerns are whether this is the right project for the Village or would it be more sustainable for a private developer to lead the effort.

Scott Barkow who lives on Daniels Drive feels the parking is not adequate for special events and stated that Mequon Road hasn't changed much in 20 years, so it needs something. He feels this is a good thing and thinks that underground parking would be ideal.

Steven Wesolowski who lives on Pheasant Run commented that in order to qualify for a TIF only 35% can be multifamily/residential and this project has way more than that, and he is against another TIF in the Village.

Tom Barney who lives on Old Farm Road stated that he thinks the picture they present would be very disruptive to the local businesses currently in the area and feels that a music venue would create a noise problem for nearby residents.

Scott Barkow came back up asking if we are in jeopardy of losing this property if a developer wants to put a carwash there? Baum stated that yes, a developer could bring forward any concept they want for a property that they own. Barkow asked what

Germantown would have to do to acquire the properties, outright buy them and stated that Germantown has 21,000 residents, how would we get more of the residents involved? Baum stated that is part of the challenge.

Bob Fitzgerald who lives on Windsong Circle asked about ownership of the apartments, main campus, stores, condos and single family homes? Baum stated that the plans are just conjectual at this point so that is yet to be determined.

Brad Bauter who lives on Lincoln Drive would welcome a new development that will bring community back. He has a problem with more apartments being put in and doesn't want another TID.

Baum stated that the financial analyst would be at Mondays meeting, and they will explain TID districts and how they work.

Melanie Smythe feels that this is a dream for the future but has concerns regarding the design and layout. She feels the market area should be bigger, there's too much high-density housing around it due to parking and congestion. She doesn't want another TID and wants to know who will manage the property?

Maureen Fitzgerald who lives on Clover Hill Lane asked if a traffic study was done. Baum stated that there was one done but it didn't figure in what is actually going to go in there and that data can't be finalized until an actual developer brings an actual plan forward. She doesn't want a bunch of apartment buildings put in.

Scott Hefle who lives on Old Farm Road stated that he wants to know why this is a time-sensitive matter. We have a 2050 plan, so we don't need to develop the Village in 5 years. He does not want a TID district and stated that other communities have a property management team to organize things like this.

Tom Steinbach who lives on Hilltop Drive stated that he is strongly in favor of this being a private development, he doesn't think the Village should be financially involved and is very skeptical about the plan.

Jan Miller who lives on Windsong Circle West stated that she has concerns about another TID and wants developers to pay for the project. She is concerned about this being time-sensitive and feels that we are trying to rush to create the heart of Germantown in 15 months.

FOLLOWED BY A 10-MINUTE RECESS

The 10 minute recess started at 7:55pm and the meeting was called back to order by Chairman Protem Baum at 8:05pm.

- B. Capstone Development Company, Agent for CQ WI 2021, LLC Property Owner - N128 W20833 Holy Hill Road. Site Development and Building Plan Review for a 291,140 sqft Industrial/Warehousing Building in the Capstone 41 Business Park - Phase 3 (ACTION)

Director Retzlaff summarized the proposal and went over the background of the first 2 development phases for Capstone 41 and stated that Phase 3 is ahead of schedule by 2 years. 100% of both buildings 1 and 2 are fully leased at this point in time.

Staff recommends the approval of the site development and building plans for development proposed by Capstone Quadrangle for Phase 3 of the Capstone 41 Business Park on Holy Hill Road, including a 291,140 sqft multi-tenant industrial/distribution building subject to the following conditions:

1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following

plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:

Architectural plans dated December 4, 2024;
Civil Engineering plans dated November 18, 2024);
Landscaping plans dated November 18, 2024;
Lighting plans (photometric plan) dated December 4, 2024

2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit for the shell building.
3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
4. All technical requirements identified in the January 15, 2025 review memo from the Village Engineer and Public Works Department shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment, and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).
5. State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.
6. The height of all exterior lighting fixtures shall not exceed a mounted height of 25 feet above the surrounding finished grade elevation (wall and pole mounted). Also, no tilting of the fixtures shall be permitted. The lighting plan needs to be modified so that illumination levels do not exceed 0.5 footcandles at the property boundaries (north and south property lines). An updated lighting plan shall be submitted for review and approval by the Village Planner prior to the issuance of building permits.
7. Lighting on the east side of the building is wall mounted with light cast outward to the east parking lot. In the event glare is evident to the residential areas to the east that results in nuisance complaints received by the Village, the building owner should cooperate with the Village to identify and implement solutions to reduce any glare or nuisance.
8. Dumpster enclosures shall be designed to meet the Village's dumpster enclosure guidelines. Future tenants shall be required to provide proposed dumpster enclosure plans for review and approval by the Village Planner prior to issuance of an occupancy permit for the tenant.
9. Future tenants shall provide a roof plan with the location of all roof-mounted HVAC units and any other roof-mounted equipment along with sightline diagrams as part of all future building "build out" plans. RTU's shall be screened from view by line of sight at 5' above grade from all property lines around the

building and the centerline of the adjacent roadways (Holy Hill Road and driveway). If RTU's cannot be hidden from view, screen walls or other mutually acceptable features intended to shield the view of said RTU's shall be submitted to the Village Planner (or Plan Commission if determined necessary by the Village Planner) for review and approval prior to build out construction and tenant occupancy.

Motion: Approve as presented

Motioned By: William Shadid

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, William Shadid

No: None

Abstain: None

Motion Passed (Yes 4, No 0, Abstained 0)

- C. Briohn Design Group, Agent for TDC Willow Creek LLC, Property Owner, N102 W19200 Willow Creek Way; Certified Survey Map (CSM) Application to Divide and Convey 2.67 acres containing a Storm Water Management Basin from the Village of Germantown to TDC Willow Creek LLC. (ACTION)

Director Retzlaff summarized the proposal for industrial building Lot 4 and an existing outlot, which includes a storm water pond, in the Willow Creek business park. He discussed the need to expand the storm water basin due to an increase in impervious area on the industrial building lot per recent approval for an outdoor storage yard for a tenant (Xylem). This CSM transfers the storm water basin from the Village to the developer and the responsibility for storm water maintenance would then fall on the owner/developer moving forward.

Staff recommends approval of the proposed 2-lot Certified Survey Map (CSM) for TDC Willow Creek, LLC, for property located at N102 W19200 Willow Creek Way, subject to the following condition:

1. All technical issues and corrections identified by the Village Surveyor (see January 20, 2025, memo from Bob Beilfuss, PLC) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.

Motion: Approve as presented

Motioned By: William Shadid

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, William Shadid

No: None

Abstain: None

Motion Passed (Yes 4, No 0, Abstained 0)

- D. Cirrus Property Group, LLC, Agent for Faith Lutheran Church, Property Owner of W172 N11187 Division Road; Site Plan Consultation for a Proposed 4.72-acre, 42-unit Multi-Family Residential Development in the Lannon-Mequon Road Corridor. (DISCUSSION)

Director Retzlaff stated that this property is approximately 10 acres and is currently zoned Institutional (I) and includes the existing church, parking lot/driveways, and a

parsonage. Most of the southern half of the existing property is currently undeveloped. The single family dwelling on the site would be removed through this proposal. The developer is seeking feedback on a potential 42-unit (for-lease) residential development on 4.72 acres of the existing 10.4 acres, which the developer would acquire from the church through a division of the parcel. The development would have the following characteristics: total number of dwellings (42) on 4.72 acres, overall density proposed at 8.9 du/acres, housing types: 2-family dwellings (duplexes), 3-family dwellings (triplexes), units including 1, 2, and 3 bedrooms and 2-story buildings, each unit will have a private front entrance and an enclosed yard, private drive serving the development with (1) point of access to Division Road.

This property is part of the existing Sewer Service Area (SSA) and currently served by Village sewer and water utilities. The proposed development would require the following permits/approvals by the Plan Commission/Village Board:

1. Planned Development District (PDD) & rezoning applications
2. CSM/subdivision plat
3. Site plan approval for multifamily structures

Retzlaff introduced Daniel Hasbani with Cirrus Property Group, who presented their proposal along with early drawings and a site plan and stated that this development would have the look and feel of single family but have the multifamily element. This proposal is in line with the Tracy Cross Report and targets empty nesters. Rent would be approximately \$2,000-\$3,000/month.

Plan Commission concerns included: High density, congestion getting in and out of the site, want a 2nd access point. Cirrus would retain ownership and they would be responsible for day-to-day management, the road through the property would be a private road so the Village would not have to maintain it. The PC doesn't want "cookie-cutter" buildings and would like to see more architecture and differentiation between buildings and would like to see more visitor parking. Hasbani stated that they would do a traffic impact analysis if this moves forward and stated that they are not opposed to having a 2nd access road.

Retzlaff addressed the question: to what extent can the village regulate rental properties? He stated that we have no definitive answer to that yet. It would have to go before the Village Board, but as of now, we do not regulate that. This is a different product type that is being called for in the Tracy Cross report and there are a lot of renters looking for this type of residence. Retzlaff asked how this differs from a condo type development? Hasbani stated that it's a lot like condos other than the ownership. This is a product with a specific niche that is taking off and, with the current demographic, it is ideal with not as much maintenance but still feels like a single family home. Wolter stated that the church is looking to sell this property, so there would be no long-term revenue available for the church. Retzlaff asked what the school-age child impact would be? Hasbani stated that they have done research into that aspect, and there would be approximately 15 school-year-aged children as part of this development. Ewert stated that this would be in the County Line School district and 15 kids wouldn't just go to elementary, it would spread out between elementary, middle and high school. This is the 2nd most impacted school in the district, but does this tip one way or the other for 15 kids, No.

- E. Maysteel Industries, Agent for Zilber Property Group, Property Owner, W210 N12975 Gateway Crossing; Sign Review Application. (ACTION)

Director Retzlaff summarized the sign proposal.

Staff recommends the approval of the proposed wall sign for Maysteel Industries for property located at W210 N12975 Gateway Crossing, subject to the following condition:

1. Applicant/owner shall obtain an electrical permit from Building Inspection Services prior to sign installation.

Motion: Approve as presented

Motioned By: William Shadid

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, William Shadid

No: None

Abstain: None

Motion Passed (Yes 4, No 0, Abstained 0)

- F. Supreme Signs, Agent for the Buzdum Trust, Property Owner, W188 N10515 Maple Road; Sign Review Application. (ACTION)

Director Retzlaff summarized the sign proposal and went over some background of the property.

Staff recommends the approval of the proposed wall signs for Buzdums Pub and Grill for property located at W188 N10515 Maple Road, subject to the following condition:

1. Applicant/owner shall obtain an electrical permit(s) from Building Inspection Services prior to sign installation.

Shadid asked whether Retzlaff had any feelings about them not following through with the agreement with the property owner in reference to enhancing and completing improvements to the building. Retzlaff stated that no he did not. Tarantino asked if light would come out around the edges of a black lettered sign. Baum stated that either the black becomes translucent when it's backlighted or the words are illuminated.

Motion: Approve as presented

Motioned By: William Shadid

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, William Shadid

No: None

Abstain: None

Motion Passed (Yes 4, No 0, Abstained 0)

- V. **CITIZEN INPUT/PUBLIC APPEARANCE:** *(Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.)*

Residents who spoke included:
Melanie Smythe who lives on Cedar Lane.
Scott Hefle who lives on Old Farm Road.

VI. ANNOUNCEMENTS:

None.

VII. ADJOURNMENT:

Chairman Protem Baum adjourned the meeting at 9:12pm.